

**PUBLIC HEARING**  
**November 5, 2001**

PUBLIC HEARINGS were held on Monday, November 5, 2001, at 5:01p.m; in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, to solicit public comment, written or oral, on Bill No. **01-53**.

Present: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Steve M. Vaughn, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr. Council Member District No. 7; Mr. Henry L. Richardson, Jr., Council Member District No. 8; Mr. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk to County Council.

The requirements of the Freedom of Information Act have been complied with by posting of the time, date, place and agenda of this Public Hearing of Berkeley County Council at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, published in THE BERKELEY INDEPENDENT, THE GOOSE CREEK GAZETTE, and THE HANAHAN NEWS on September 5, 2001, as evidenced by attached copy of Affidavits of Publication, and a copy of such notice was mailed to all Council Members and the News media.

Chairman Rozier called the meeting to order stating Public Hearings were being held to solicit public comment, written or oral on the following:

Bill No. 01-53, An Ordinance recommending the redistricting of Berkeley County Single Member Districts, designating such recommended districts, authorizing the submitting of the redistricting plan to the United States Justice Department in accordance with Section 5 of the Voting Rights Act of 1965, and other matters relating thereto.

Council Member Mims asked Chairman Rozier why the meeting was scheduled for 5 p.m., because she had received several phone calls from citizens that could not attend due to time constraints.

Chairman Rozier responded, "I set it at this time. Ms. Mims, I figured it would take a while, and if people come in later they can certainly come and speak. Often times in other counties they open at 10 am, 11 am and 3 in the afternoon. I did it at 5 p.m., and nobody objected to that until tonight. I announced it at the last meeting, and no one objected."

Council Member Mims stated, "I wasn't listening."

Chairman Rozier responded by saying, "I am sorry."

Chairman Rozier explained the Public Hearing was an opportunity for the public to make comment on the maps, which were displayed in the assembly room. The map on the left was the

existing map from 1991 and the map to the right was the proposed map for 2001. Bobby Bowers, Budget and Control Department of Statistics and Research, developed the map and brought the recommended map to Berkeley County. The following week Bill Crosby, Gregg Rines and Mr. Rozier went to Columbia to take care of some of the errors in the map. i.e., there were two Council Members in the same district and two School Board Members in the same district. They also made sure the map met the criteria of Section 5 of the Voting Rights Act of 1965. The maps were presented to Berkeley County Council on October 15 and October 22 where they received First and Second Reading. Mr. Rozier took the map to the School Board on October 17.

The Public Discussion was as follows:

Mr. Charles Schuster, 1215 East Wood Ave., Hanahan, former Chairman of the Election Commission. "In 1978 County Council District No. 1 was thrown out because people voted in the wrong race, also Democrat District No. 2 for the same reason. In 1982, it took 3 times to elect someone for District No. 2 School Board because people voted in the wrong race. In year 2000, in County Council District 2 Republican Primary we had a lot of problems. Most of the problems we have are that most of the people who work the poles are my age or older and have a difficult time going down the line. County Council and the School Board are the most contested races in South Carolina, and the only thing I ask is to not split precincts. If you have to, go back to State Senator Mescher and create more precincts for Berkeley County. It is very difficult to work the poles. Those people work the poles for next to nothing for 12 hours. Errors can occur and they will occur."

Chairman Rozier responded, "We have census tracts that have to be followed, and if a census tract doesn't split a polling place then it will not be split."

Mr. Schuster explained, "We can be opted out of the whole Justice Department Rules and Regulations. It would take a little bit more work on our legal department. I am surprised that this was never looked at because it was faxed to this office. You still couldn't discriminate against minorities, but you wouldn't have to go through all the rigamarole of precinct splitting and County Council district lines and all that. It would save everybody in this room a lot of aggravation."

Council Member Spooner said, "If you were in District 2 or 1 ten years ago you are still in them. Those two districts basically did not change; they only picked up additional voters. I don't know if that will help or not?"

Mr. Stewart Driggers, 2078 S. Live Oak Drive, Moncks Corner, "I may have gotten some misinformation before I came here, it may be a wasted trip. Could you please tell me what District I will be in at 2078 S. Live Oak Drive?"

Mr. John Scarborough pointed out to Mr. Driggers that he was in District 6.

Mr. Driggers stated, "I don't have anything against Mr. Richardson, I am sure he is a fine representative, and I would be glad to be in his district. My concern is that it would be difficult for all the senior citizens that would have to travel to Cainhoy to meet with Mr. Richardson, unless he wants to come to my place of business once a month to meet with them."

Council Member Richardson indicated he would be glad to meet with them.

Mr. Driggers said "What we need are Council Members to come out into the districts and meet with the working people and find out the concerns that we have and share them with us. We don't get to see ya'll very often, unless we come here. Judy, I appreciate what you have done for me."

Ms. Francis Taylor, 1707 Old Whitesville Road, Moncks Corner, currently Council Member Mims is her representative. Ms. Taylor explained, "She has always been and has always represented me well. From what I was told, we have been drawn out of her District and put into District 7. Nothing against Mr. Pinckney; however, working with Ms. Mims for many years, she does not vote on things for Ms. Mims, she votes on things for the betterment of the people. And I would hope that we would remain in her district."

Mr. Randy McGinnis, 1010 Red Pines Road, Summerville, in Tall Pines Subdivision, "I just spent the last 30 minutes in GIS, it's a little more detailed map. I see they took and cut Tall Pines in half, part in District 4 and the other half is still in District 5. I don't believe this is to the good of the subdivision, now it is going to be more confusing. I am very active in the homeowners association, and now it is going to be more confusing with which district do I call and who's my Councilman. I think it is going to be more confusing to let this go here."

Chairman Rozier clarified that District 5 was 21% over, it is the largest district in the County, and it had to be brought down to under 5%. Preferably lower, because that is a growing district. A lot of changes had to be made in that general area, due to the growth in the area. This too had to be done in District 5, because of the growth.

Mr. McGinnis said, "The maps that you have up here Mr. Rozier, I believe are very deceitful. They are not very detailed. If you want to see where you are in the district you can't by these maps."

Chairman Rozier indicated that he gave each Council Member a detailed map of their district.

Mr. McGinnis, "We are a Special Tax District. I don't know what that is going to do on which Council Member is going to appoint members."

Council Member Davis injected, "It's going to be more complex."

Mr. McGinnis, "It's hard enough to get people to volunteer their time on the tax board, now it's going to be even harder to find out who's going to get what. There is five members on the board and we have two Council Members now. This is more difficult."

Council Member Spooner responded, "Dominion Hills is divided in half and St. James Estates and my district, District 2 represents, part of the City of Goose Creek, part of the City of Hannahan, unincorporated part of Goose Creek, part of the City of Charleston, and part of the Cainhoy area, and part of Pimlico also. I feel very confident that I can represent those people, even though they are spread out, and cities and neighborhoods are divided. I think if you ask the people of Dominion Hills if they feel they are divided, they wouldn't think that, because they have a civic club that is very active. This just gives them two Council Members to call, which can be a bonus."

Council Member Davis asked the County Attorney how they would address the split in the Special Tax District?

Mr. D. Mark Stokes, County Attorney, "Either Council Member can nominate the member and full Council would make the final decision. I don't think it would be any different."

Ms. Mary Carson, 1009 Charity Church Road, Huger, "I may be way off base here, but when ya'll get everything chopped up and get it straight, please let people know where they are to vote. I am a pole worker; I work Cainhoy precinct, we voted about 15 people in the last election. People came who could not vote, people who were supposed to vote did not come. They didn't understand, they did not know."

Mr. David Vanosdoll, 415 Riley Lane, Summerville, "I am representing Berkeley County Republican Party as it's newly elected Chairman, as of October 27, 2001. I have some party concerns that I wish to address. One, the process seems to be moving too quickly due to some insufficient input. The cloudiness to the process the way it's being based on. On the information that is being published in recent articles in the newspaper. As the Chairman of the majority political party of Berkeley County, the impact of the proposal can impact market share of the republican party. Any company or political organization CEO/Chairman would naturally have a vested interest in what would affect their market share. Also, of concern is the public, that since the Republican party holds the majority of the County Council seats, that the republican party is trying to do something sneaky or underlying. My response is no they are not. The problem seems to stem from the process of proposed presentation of maps from the County to the South Carolina office of Research and Statistics. Jim Rozier said the County had little to say in how the State drew the redistricting lines. The State says the County draws it's own maps; the State only reviews for compliance. The process gets more cloudy, as not all School Board Members or County Council Members have the opportunity for input. More clouds come in when Council Member Vaughn makes the statement, 'when you work against the majority of Council for political reasons, it's going to come back to haunt you.' What is the benefit of that statement? More clouds arrive by having this Public Hearing at 5 p.m., a lot of people can not make this because they are trying to get off work and get here. We do not need these types of clouds over a proposal that will affect this County for the next 10 years, and the presumption that the

Republican party condones this type of process. The Republican party asks each County Council person when voting on this proposal, that you do it solely based on the betterment of the County and compliance with legal requirements, and not with any other reasons or for sure purely political reasons. Based on the cloudiness, we hope that the vote is really looked at and done for the reasons mentioned, or we are prepared to file a complaint with the U.S. Justice Department for the process review.”

Council Member Vaughn, “I don’t think I ever met you before, you’re the Chairman of my party and I don’t think I have every met you.”

Mr. Vanosdoll, “I have been at the Republican breakfast meetings a lot.”

Council Member Vaughn, “Of which I don’t even think I have been invited.”

Mr. Vanosdoll, “I met you at the fair last week, when you were working in there.”

Council Member Vaughn, “The biggest question I got, is that ya’ll are making out like we are doing something maybe we shouldn’t do. I see the Senator sitting out there.” (State Senator Mescher was in the audience area of the assembly room) “How much input did ya’ll have in the redistricting of their lines, did ya’ll have a lot of input of that? Because we didn’t have any.”

Mr. Vanosdoll, “I’m just newly elected. I’m taking the issue that I have now. That’s all I can work with. I understand your question, but no I did not.”

Council Member Vaughn, “I don’t think we were even given any opportunity to look at their lines and I don’t think they even care that we looked at it, and I don’t even care if they look at our lines. We are given the job to draw the lines, do the best we can. I personally would just as well keep every person I have in my district. I am happy with everybody I got. If you can get them to allow that, it would be fine with me, but I can’t do that. My district just happens to be one of the fastest growing districts, and I’ve got to lose somebody. I certainly don’t want to pick and choose who I lose, but it just doesn’t work that way. District lines have to change and we are given the task to do that. The paper called me, and I gave them the same statement I just gave you ‘I didn’t want to lose anybody.’ He asked me about this party thing and I said unfortunately it’s a two way street you get people who work together up here and people who don’t. I wish we all worked together. I wish everything would run smooth. As you say we have the majority of the Republican Party up here, but a lot of it’s to do with the people who are up here. I get very little support from the Republican Party on my campaign. In fact I think last time the Republican Chairman got somebody to run against me.”

Council Member Crosby said, “David, did you look at any of the data that was given to the Council people before you made your statements?”

Mr. Vanosdoll, “No, again mine are strictly based on concerns that have been published, and that I feel its my roll at this point to try to get rid of those assumptions.”

Council Member Crosby, "Did you investigate these assumptions or rumors to see whether they were true or not? You just came up here made the statements as a Republican Party Chairman. You need to look at these numbers to see what we had to do to bring the districts together and keep everybody in place. I think we can sit down and tell you exactly what went on. If you are that close and involved then you should get with us and find out what we requested. You are saying stuff to us as Republican's that I don't agree with."

Ms. Harriette Dangerfield, 103 Bayonet Drive, Moncks Corner, Berkeley County School Board representing District 4. "I didn't come to say anything tonight, but I am hearing things that really disturb me. As a School Board Representative I have no idea, what was going on. Thank goodness I do talk with Charlie Davis who represents District 4, and he gave me information. I called Mr. Rozier's office and he was out, so I spoke with Mr. Scarborough, quite sometime ago. We knew this was on the table to be discussed and could we be called and asked to partake. I was assured I would receive a phone call as to when you would be doing this; I've never received a phone call. I think it is just courtesy, to include those people who represent the same lines as you do, to be a part of this. I am happy to serve who ever is in my district. It just disturbs me when I read comments in the paper, and at social gatherings. I am offended that I wasn't called and asked to take part in this. I understand that some School Board Members were privy and some Council Members. That bothers me; it should be an open door to whoever wants to take the time to do it. So I am really disappointed in the decisions you've made. Like I said, I will serve whom ever, but I'm not happy with the way we do business when it causes all this unrest. As elected officials we're always second guessed anyway, and to have this really disturbs me. I know several people who contacted Columbia, and they said 'they only gave guidance to something that they received as done. They answered questions about the way and whether it was legal.' There were several of us who made phone calls to this office and were told we don't have a copy of that; what we drew up was sent to Columbia for approval, and when we get it back you will get a copy."

Chairman Rozier, "That's exactly right, but the first map Columbia brought to my office, and then from there three of us went to Columbia and worked on the map. They then finished up the map and sent it back through our GIS. We sent it back to them with a couple of changes. That's what we were waiting for when you called. I will be happy to go to Columbia with you if you like and show you the people who brought the map to my office. Bobby Bowers brought a map to my office. The first map I saw was Bobby Bowers' map. Now I waited an extra 45 - 60 days hoping somebody would draw a map. Some Council Members got maps. I don't know about School Board members, but I never got a map from anybody. Everyone has the right to present a map, if they would like to present it."

Ms. Dangerfield, "We are not talking about maps that someone could have or should have done. We are talking about the maps originated here. When there was no conversation or discussion about the maps, but when people were pinned, when they got kind of pinched a little bit. Then it was 'well, we didn't have anything to do with that, we just answered the legal questions to make sure' You know whatever, power is power, and you do what ever you do, and that's okay. That can end and we can all walk out this door, but the perception is real. The

perception is when I am an elected official, and I serve the same voters as Mr. Davis does and Ms. Granger serves the same people as Ms. Mims. We all serve the same people and we are elected by those same people, and when we don't have the courtesy of even coming in and looking at anything and it's the second reading and this is the third. I am sure, Mr. Rozier, that you are a very astute, smart person and you know what I am saying."

Chairman Rozier, "On October 12, I called the Superintendent of Education and said I am going to present a map to County Council on October 15<sup>th</sup>. County Council has the authority to draw the map, so the first persons I am going to present the map to is them. I requested an opportunity to come to the school board the next night, but ya'll didn't have a meeting that night."

Ms. Dangerfield, "Was that the second reading?"

Chairman Rozier, "No it was not, it was the first reading."

Mr. Julius Barnes, representing the NAACP, "We received a map from Mr. Rozier as well as the rest of you did, and we did some studying, we went to Columbia and to our people. Our concerns are for our people and the Voting Rights Act of 1965; that this map complied with those. We have looked at this map very carefully, and they appeared to be compliant with the Voting Rights Act of 1965. We thank Mr. Rozier for getting the map to us. We wrote you early and asked that we be involved in some way. We did make some suggestion in relation to it. You didn't satisfy all of it, but you satisfied what you felt you could. We understand that in the process of drawing a map, no map is a perfect map. The numbers we looked at are the percentage of blacks in the districts. In District No. 1: 15.19%; District No. 2: 15.68%; District No. 3: 25.75%; District No. 4: 15.12%; District No. 5: 11.73%; District No. 6: 14.70%; District No. 7: 59.48%; and District No. 8: 54.69%. One of our major concerns had to do with the percentage of blacks at voting age in these Districts. In District No. 1: 13%, District No. 2: 14%; District No. 3: 22.72%; District No. 4: 13.41%; District No. 5: 10.93%; District No. 6: 13.79%; District No. 7: 57.03%; District No. 8: 51.89%. Looking at the numbers, we cannot fight with you because the numbers have increased in District No. 7 and District No. 8. We have no other choice at this time, but to support this plan. I understand this is a 10 year plan and things may change. As of today, the Upper Berkeley Branch, Moncks Corner Branch, and Cross Branch of the NAACP support this plan based on that information.

Chairman Rozier, "Let me make something clear. Rev. Barnes called me a week before I presented it to County Council, and I told him like I would tell anybody, I would give him a map as soon as I present it to County Council. I presented to County Council on the 15<sup>th</sup> and the next day or two gave him a copy. I don't give anything to anybody that Council has authority over until I present it to Council. I think that is the thing we are missing here."

Rev. Bobby Eubanks, 228 Nicole Lane, Moncks Corner, "Why were just three Council Members and Mr. Rozier involved in taking the initial map to Columbia?"

Council Member Spooner stated, "When we were at some meetings this summer, State Association of Counties, and Bobby Bowers was at the meetings talking on redistricting. He handed Mr. Rozier a folder that had maybe ten copies of the map you see on the left, and had a list of the percentages stapled to it, and gave them to me. We had a meeting, I believe and not sure of the dates, had to be in August. We were trying to finish up our zoning we had a meeting with COG and had to get that finished. I passed the maps out that night. I had one Council Member ask me, 'who did the maps,' and I said these are the maps from 10 years ago, these are the one's we are operating under now. We were talking a little bit and I said just look over them and see where you think your district ought to go. I can remember, Mr. Richardson and I were talking, and I said I knew my district was 7% under and it had to expand, but I know that District 2 is going to be a growing district. So, we said maybe we can push me up this area, and just sort of tossed it around the table. Push this here, push this there, I'd be willing to do this. I even had a School Board Member from District 2 call me suggesting going into a particular area of District 3, but I was not comfortable with that because that Council Member was too close to that area and not willing to give it up.

I said I'll call Bobby Bowers and we will do something with it. I honestly got busy, first of school, and I forgot about it. Mr. Rozier called me at the end of September and asked what is Council doing about redistricting? I said Jim, I'll be real honest, I forgot about it. I knew at that time I did not have the time to sit down with Bobby and do anything. I called Bill Crosby and said can you do me a favor and call Bobby Bowers, and see if you can get the ball rolling? I know that Bobby Bowers drew the map. I was not in District 2, and I asked Jim, I have one requirement, draw me in my district. He drew a map which he thought would look good, and then Jim went up there with names and addresses of all the Board Members and County Council Members, because there was a misunderstanding with Bobby Bowers of where everyone lived. We all kept hearing this thing that the School Board Members are going to have districts, but it was County Council's responsibility to draw the lines. I was grateful to have someone go up there to Columbia and get the ball rolling. I knew Ms. Mims had gotten some maps and somebody else had gotten some maps. I knew I hadn't gotten maps and hadn't done a thing, but I knew the ball had to get rolling, because we didn't want to end up pushing this date to the very end. God as my witness, I'll put my hand on the Bible, and swear that is what exactly took place. I don't know what they told you in Columbia, I know what happened."

Rev. Eubanks, "Let me ask each one of the Councilmen; were you involved in the process? I'm just asking because I am a voter and I just want to know if you had input."

Council Member Davis stated he did not.

Chairman Rozier stated six (6) Council Members spoke with me about the map.

Rev. Eubanks, "So ya'll were all in a room at the same time?"

Chairman Rozier, "No Sir, I never meet with more than three (3) Council Members at the same time, because that makes a quorum and I would have to invite the press. I did speak with six (6) Council Members, four (4) requested to meet with me. I met with them. I requested to



meet with Mr. Richardson and Mr. Pinckney. Two (2) Council Members did not request to meet with me.”

Council Member Richardson, “I probably am the one that initiated the conversation about the map at first, because it was a great concern of mine. From that point on I contacted School Board Representative Frank Wright, called him up. Contacted Mr. Bowers, called him up. Gave Frank Wright the number to that office. I don’t know where your question is going, but I think I involved every person I know to involve in this process.”

Rev. Eubanks, “My concern is from the Media reports that only three people were involved. This is serious, it changes people and who represents them.”

Council Member Richardson, “I spoke with Ms. Mims, Mr. Pinckney, Ms. Spooner, Mr. Barnes, Jim Rozier, Frank Wright. I spoke with a lot people because I think it is an important issue. I didn’t think it would be a point where we were wrong for doing this; I thought this was something we were supposed to do, this is our responsibility. It is my responsibility for District 8, and that is what I was concerned on. I never had any input on other districts. My concern was District 8, and any time one impacted District 8, then I talked with them about it. That was my involvement.”

Rev. Eubanks, “There were two that weren’t involved, Mr. Davis and Ms. Mims?”

Council Member Vaughn, “I guess I should have picked up the phone and called the School Board Member in my District. What I said in the paper was misconstrued. It’s kind of a two way street, he didn’t call me, I’m busy, he’s busy. We are all trying to take care as best we can. If you are a School Board Member you should at least take the initiative to call your Council Member or Supervisor. I have yet to hear from my School Board Member. I assume he is okay with this District. I had to lose a tremendous amount of people. It is very difficult to pick who you want to lose, so you use the most common sense method. The districts in that part are so jammed up; it is hard to draw those lines. Should Tall Pines be split? Probably not. Should Devon Forest be split? Probably not. Should I have a part of Foxborough? Probably not. There is no exact method.

Rev Eubanks, “Politics they say is perception, that’s how you define politics. It’s what people perceive something to be. We’re told three or four, but if you are telling me more, and someone put their hand on the Bible, that’s good enough for me. That’s all I ask.”

Council Member Crosby, “Mr. Eubanks, I’m a very hands on person. When things are going to affect me, I don’t sit back and wait. I don’t sit back and wait for someone to come and get me; I go and get involved in it. To Harriette, that talked a while ago, I think if she talks to Carol Lewis, she will find out that me and Carol talked about every other week or maybe every month, to the point of what was going to be happening to District 3. Carol agreed with me on what was going to be happening. We didn’t want to disturb our base of people. Everyone kept their base pretty much. Now District 5 got jammed up, because he had 21% that he didn’t have to have. So we had to go into his area and chop him up a good bit. One School Board Member

called me and wanted Sedgefield, I said no. I have worked Sedgefield, I know every road and house, since I have been on Council and I am not going to give up Sedgefield unless I have to. We did what we were supposed to do, at least I thought so. You have to go out and get involved, you have to go out and ask the questions. You can't sit back for somebody to come and tell you.

Rev. Eubanks, "I moved from Sangaree, where I pastor, and bought some rural land out on Black Tom Road. Moved into District 6, Judy Mims is the representative out there. As you know I am involved behind the scenes, trying to get the truth out in Berkeley County. I just represent the people from a religious aspect. Have never ran for public office, but one man can make a difference. I am not stupid. I moved up here on Black Tom Rd. ten years ago, there are no new homes in there. The population hasn't changed much out there. You gotta get your numbers I know. You gotta cut neighborhoods to get the ratio, I understand that. It's not a black - white issue, in District 6 or 7. But how convenient it would be for a public official, who one day might run for office, to move into a republican district, and all of a sudden those drive ways on the edge of the district have to be moved into another district, District 7, to get the ratios. I don't buy it. The Good Lord knows what's going on, and that's all that really matters. I want you to know I know what's going on, and it's not good, it's not right. Because if you can do that to one person, it opens the door to what else is going on. The truth has to come out. I may never run for office, it may not be in God's will. I may move right in the middle of a district, and see how you get me. Arrogance is a major thing and it will take you down. I talked with Brother Rozier today and he knows. I wasn't the only one that got rooted out. There was another fellow in a district who was running against another Council Member. I know all about that too. The evidence is there and the maps prove it. His statistics back it up. Something stinks in Berkeley County"

Council Member Vaughn, "For the record, if that's what your implying, you can put him back in my district, and I welcome him to run. If that's what you think I have done, then you are wrong. If you are talking about the man I just appointed to the Tall Pines Special Tax District, that's crazy. And to say that someone would draw you out of Mims' district so you wouldn't run against Mims, with all the animosity that is against Mims'. Why would anybody do that? If everybody is saying six people are beating up on two, and you are drawn out of Mims' district so you can't run against her that don't make any sense."

Rev. Eubanks, "A week ago I was approached by one of the Senators and he asked me 'Why did you move into District 6, you've got all of Berkeley County all upset.' I said that's a strange question. Why would you ask that question? 'They can't figure out if your going to run for School Board or County Council.' I said, I guess you are fishing, so I will give you something to take back to them. Right now I'm not planning on doing anything. As long as Ms. Mims is in that district, I support her 100%. If something happens to Ms. Mims and there's an opportunity. Well, it's strange that it was already out there, 'What is Rev. Eubanks going to do?', and next thing I know 4 or 5 little driveways out on the edge of District 6 are now in District 7. I have nothing against the gentleman that represents District 7, Mr. Pinckney. If I tell Mr. Pinckney that I'm going to run against him, which I wouldn't tell him, but 59%, we are not stupid here. I'd be up hill all the way carrying rocks on my back. If there is an opportunity now I can't take it, but I consider that God's will. He does things in mysterious ways, and when he

does there will be justice. And that's all I am praying for. That there will be justice and equality in Berkeley County, and one day there will be."

Chairman Rozier, "No Senators are involved in drawing this map."

Rev. Eubanks, "I just want you to know publicly that people know, and maybe the next time when you start all this stuff, you will have a little bit of conscious to think twice. That's what I want you to know."

(at the end of Rev. Eubanks statements he exited the assembly room)

Mr. Wayland Moody, 137 Old Winter Road, Summerville, "I'm satisfied with Mr. Pinckney being my Council Member. My question is for my good friend Bill Crosby. You asked David if he had seen this information. I would like to see the information as to how all this came about. I understand your numbers, and that you have to have roughly 18 thousand people in each district. If you have the numbers I would like to see them. (Chairman Rozier gave the numbers to the Clerk who in turn gave them to Mr. Moody) What I would like to know, in District 2, we have to go way out in Pimlico to get people when we have them right in Daniels Island?

Chairman Rozier, "That's exactly right, and I will be glad to explain that to you."

Mr. Moody, "I would be happy to listen, because that don't make a bit of sense as to why you would have to go way over here to pick these people up when you have people down here. People is people and numbers is numbers."

Chairman Rozier, "No Sir, it is not."

Mr. Moody, "I beg to disagree. I don't see how in the world any Justice Department would tell you, you have to give up people in Summerville and go to Bonneau to pick them up. I would like to see that."

Council Member Crosby, "I will show you, because there are cells of people. In the Districts of 7 and 8, you are trying to get cells were they comply with the majority black voters."

Chairman Rozier, "Mr. Moody, Mr. Vaughn's district was 21% over what it was supposed to have. Other districts had to pick up parts of his district. On 8 digging into 6 like that, you can't have retrogression in the minority voters. In fact the Justice Department drew the map before and put us in those areas to make it work." (Mr. Moody pointed to the map)

Mr. Moody, "I understand this is a minority district according to Mr. Bowers numbers, but why did we give up here and dig into here?"

Council Member Spooner, "If you will go back to the original map that goes back to the 1970 census you will see District 6 has undergone the most changes. That is because they are in

the center of County. District 6 just has to take up what is left. Why did I go into Pimplico to pick up voters? That was to give up the cells of white voters to help Henry's numbers. I wouldn't have chosen to do that, but I will represent whoever I need to. In order to go around Sedgfield and make it with my district that is where I had to go. That was the place where whoever did it, put me. I did not do that, but I have no problem representing that area. But when you get in 6 and 8 you will see lots of little fingers reaching in, picking up streets and little cells of voters for the count. I know it sounds strange, but it was done that way on the old map and on this map. If you look at my district you will see how much of it is connected by water. To pick up the voters that I need to make my numbers right and to help Henry out, we talked about that before. We both knew where the voters were, what the pockets were like, and what we needed to do. I don't see where there is anything suspect about that. To me we did exactly what is required by law. I am having problems trying to understand what you are saying"

Mr. Moody, "Maybe I don't understand all the information."

Council Member Crosby, "We went to the districts that are growing in the next 10 years, and we knew would not hurt to leave her 5% negative, because it would put her closer to the numbers we are talking about. We went through that process instead of taking away an area that you have been working for 4 -5 year. Ms. Mims says she has a good bit of her's missing, but most of them are not."

Mr. Moody, "Well, maybe I don't understand and after we talk I may understand better. You talked about not wanting to give up Sedgfield. Maybe, everybody here has got a section that they don't want to give up, and everybody should have had that opportunity."

Chairman Rozier, "Everybody had that opportunity."

Mr. Moody, "I am hearing that two people didn't have that."

Chairman Rozier, "They never called me and asked for a meeting, either one of them. Never gave me information on the map that they wanted to change, either one of them. Others did. I'm sorry there is a certain responsibility on people to work with you and give you the information they want to give you. Ms. Mims sent me information, which I responded to, and it didn't work. It was very evident it didn't work. I'll be happy to show you that information too."

Council Member Pinckney, "Let me say this, I guess I am the only one up here with the greatest advantage, because I am the new comer. It doesn't make any difference as to who is in my district because I am here not to serve the Democrats or Republicans, black or white. I am here to serve the people of District 7. I think sometimes that is where the problem comes in. We start categorizing folks, and that creates a problem. I had some concerns early on, because I knew I was 7% over, and to be completely candid with you I lost some people from District 7 that were definitely strong for me, but it helped Henry. So, I had no problem with that. I just want to go on the record as saying that as Councilman for District 7, I am not looking at whether you are Democrat/Republican, black/white, or rich/poor. I just look at you as being a taxpayer

for Berkeley County, and you put me here to represent you and serve on County Council. I think I've heard a lot of that tonight, and that's not why I am here."

Chairman Rozier, "For everybody's information. On October 15<sup>th</sup>, I made a presentation to this Council, and said then anybody can draw a map that wants to draw a map. Anybody can have input who wants to have input. That was first reading on October 15<sup>th</sup>. On October 22<sup>nd</sup>, I said the same thing again. Anybody who would like to make changes, feel free to give them to me. On October 23<sup>rd</sup>, I said the same thing to the School Board. You can draw a map. You can present changes to County Council. The local newspaper said I said it was a done deal. I don't think I said that at all. I said, 'I don't think the lines are going to change a whole lot because the numbers weren't.' I did say that. So, here we are on November 5<sup>th</sup>, and folks are saying they didn't do what they needed to do because it was my fault or someone on County Council's fault. I'm sorry it doesn't work that way. People had ample opportunity to draw what they wanted. Mr. Barnes drew one. Six members of Council got with me and worked on what they were concerned about since October 15<sup>th</sup>. There's a problem? I don't know where the problem is. I'm Sorry, maybe I'm thick, but I don't know where the problem is. If you don't do due diligence, and then on the eleventh hour blame it on somebody else. I'm sorry it doesn't work that way."

Mr. Winst Wadford, 1517 Longleaf Road, District 4, "My concern is how is this going to affect contingency based on what precinct they are going to vote in?"

Chairman Rozier, "It doesn't affect precincts at all."

Mr. Wadford, "How is it going to affect split precincts?"

Chairman Rozier, "When everyone registers to vote it is on their card where they are to vote."

Mr. Wadford, "What I would like to see is some type of public notice sent out to the people who the district changes effects, and who their new representatives are."

Chairman Rozier, "The will get new voter registration cards."

Council Member Crosby, "There are new precincts; therefore, there will be some confusion as to where they need to go, but I don't think it will be solely because of district lines. There are new precincts being formed, and people are going to have to learn where they are to go. I don't know how many precincts we are going to have, but the number has changed."

Chairman Rozier, "29 to 50, the number has almost doubled. If you have problems at the poles this time; it won't be because of this map. It will be because of redistricting, we are going from 29 to 50 districts."

Council Member Mims, "I don't have any problem representing any citizen in this County. When I was first elected, I asked why was District 6 in such an odd shape. It went from Bonneau Beach to Summerville. I was told the Council Member that represented District 6 drew

it so they would not be elected. That makes me kind of suspicious. I look at my district and everywhere I had extremely good support was taken out. My numbers, I needed to lose 6% of my people with a variance of 5%, which means I needed to lose 1%. So, that is why I'm questioning, why was Black Tom Road taken out, Old Whitesville Road taken out, Cooper Store Road taken out, all of Tramway, and all of the area from Carnes Crossroads to the Summerville line? Then you added in the middle of the county. That was my question."

Chairman Rozier, "Ms. Mims, you are still 3.2% over. You are next to the largest one over; the only district larger than you is District 4, which is 3.33%. District 2 is 4.42% under. Five percent (5%) is the most you can be over or under and you are at 3.2%, and you can't keep all of that. As the letter I sent you stated everything that you asked to have put back in your district would put you at 149.2% over. So, it couldn't be done."

Council Member Mims, "I realize that. My question is why was so much taken out, yet so much put back in?"

Chairman Rozier, "Because it had to shift toward the upper part of the county to be put back in. Particularly, 1, 2, 3, 4 & 5 grew significantly. If you notice 4 and 5 shrunk very, very much. It's a postage stamp compared to 8 & 7. Things shift. There's no way to change that."

Council Member Mims, "I understand that, but of the 3 Mayors I represent. I talked to two of them, and their concern was being split in the middle of the town."

Council Member Spooner, "But it's been that way in Moncks Corner all along. If you want to go back to the 1980 map, you would find that one reason District 6 and 4 look like they do is because of where the County Council Member lived. Now as far as drawing 6 out of his district. That didn't happen. I was here when that was done in 1990. That would have been Mr. Peagler, that didn't happen."

Council Member Vaughn, "Judy, in fact when I was elected my district went from where I am at currently to New Hope to Carnes Crossroads. In fact the magistrate that I ran against lived right there at Carnes Crossroads. My district shrank continuously. If I had to guess most of the growth that will come to Berkeley County will come between my district and Charlie's district, and unfortunately or fortunately, whichever way you look at it, Ms. Spooner is going to have a lot of growth. The lower part of the county is going to be where the growth is."

Chairman Rozier, "Those districts have a minus figure in anticipation of growth. That's the way the maps were drawn."

Council Member Vaughn, "When we drew the district lines 10 year ago, Ms. Spooner went across the water to pick up Daniels Island, just to keep the minority district in tack. Which you've got to know that's political suicide, for her right now to have Daniels Island in her district. That in the future Daniels Island and the Cainhoy area will demand a Council Member in that district. You're going to have to live there."

Chairman Rozier, "Let me state for the record Mr. Pinckney and Mr. Richardson, none came here and said my minority number has to be a certain amount. They didn't do that, but the Voting Right Act of 1965 says that. We have to abide by that, and it makes funny lines. That's the way it works. Now let me ask a question. Ms. Mims, if you didn't like this map why didn't you present one? You got a map from GIS and could have drawn one, why didn't you present one?"

Council Member Mims, "I didn't know anything about drawing maps. Yes, I did go to Bobby Bowers and I tweaked a lot of things I felt was comfortable to me, and it was ignored."

Chairman Rozier, "No, what you sent to me, I responded to."

Council Member Mims, "No, I am talking about the map that Mr. Barnes had, that he presented to you on Friday. You said it was not going to be."

Chairman Rozier, "I recommended a change to Mr. Barnes on the map. I recommended two changes to Mr. Richardson on the map. So, I am sorry, you were not in the meeting."

Chairman Rozier called the Public Hearing to end.

The Public Hearing ended at 6:24 p.m.

December 17, 2001

Date Approved

## **AGENDA FOR PUBLIC HEARING**

A Public Hearing to solicit public comment, written or oral, will be held on Monday November 5, 2001, at 5:00 p. m., or as soon thereafter as may be heard following other public hearings, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C. on the following:

Bill No. 01-53, An Ordinance recommending the redistricting of Berkeley County Single Member Districts, designating such recommended districts, authorizing the submitting of the redistricting plan to the United States Justice Department in accordance with Section 5 of the Voting Rights Act of 1965, and other matters relating thereto.

CALL TO ORDER  
STATEMENT OF PURPOSE OF HEARING  
PUBLIC DISCUSSION  
ADJOURNMENT

October 31, 2001  
S/Barbara B. Austin  
Clerk to County Council